



TAMPA BAY BANKRUPTCY CENTER, P.A.

PHONE: (813) 200-4133

TOLL FREE: (800) 965-5074

December 2, 2011

FTC Files Complaint Against Weight Loss Promoter

The FTC and the State of Connecticut has jointly filed a complaint against a promoter of weight loss and “colon cleanse” products based in Connecticut. The complaint seeks stop the promoter from allegedly using fake news websites to promote their products, making deceptive weight loss claims, and informing consumers they could receive free 14-day trials of acai berry and colon cleanse products by paying the cost of shipping and handling. The FTC alleges that many of those who took up the free trial offers ended up paying \$79.99 for the trial, and had to pay for recurring monthly shipments of products that were hard to cancel.

The defendants in this case are Boris Mizhen, LeanSpa LLC, and two other companies, Nutraslim LLC and Nutraslim UK Ltd.

In the complaint, it is alleged that affiliate marketers who promoted the product used fake news websites to substantiate the claims of the product. These websites had news-like domain names such as channel8health.com, dailyhealth6.com, and online6health.com (don't bother visiting these sites now, they have gone defunct). Furthermore, these so-called news websites carried purported news items such as “Acai Berry Diet Exposed: Miracle Diet or Scam?” and “1 Trick of a Tiny Belly: Reporter Loses Her ‘Belly’ Using 1 Easy Tip”. The sites also contained the logos of major news sources, such as CNN, MSNBC, and Fox News.

<http://tampabankruptcy.pro/blog/>

The fake news websites would link to the defendants' own websites – TryLeanSpa.com, TryNutraSlim.com and TryQuickDetox.com – where visitors are offered a free trial of acai berry or a colon cleanse product or both just by paying shipping and handling charges (typically \$4.95). The visitor would have to disclose his or her credit card (or debit card) information to pay for the shipping and handling. If a visitor tries to close the page or navigate away from it, a pop-up window appears to try to get the visitor to stay on the site and take up the free trial offer with a reduced shipping and handling charge (usually \$1.95). Once the defendants obtained the credit card information, they would allegedly charge the credit card holders either \$79.99 for one of the products, or \$158.98 for both.

The defendants allegedly used obtained merchant accounts at various banks under different “Independent Sales Organization” entities to process credit and debit card transactions. These “Independent Sales Organizations” include Check21, LLC and Eureka Payments, LLC. The banks concerned are National Bank of California, WestAmerica Bank, HSBC Bank, and First Bank of Delaware. The defendants have allegedly taken in more than \$25 million from consumers in the United States.

The defendants allegedly charged the credit or debit cards before the customers have even received their free samples and often before the expiry of the 14-day trial period. The defendants have also allegedly claimed that objective news reporters have performed independent tests on the products and independent consumers have found the products to be very effective.

In addition to the complaint, the assets of the defendants were also frozen by the US District Court for the District of Connecticut issued on November 14, 2011.